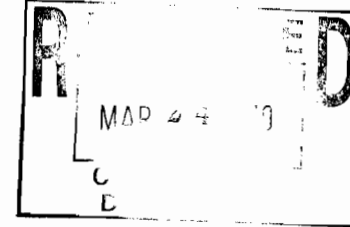
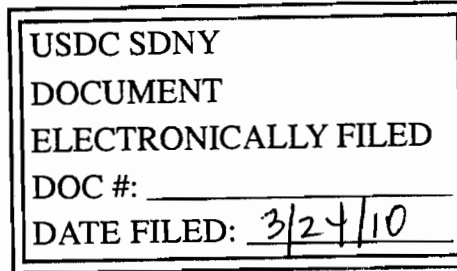




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March 24, 2010

BY HAND



Hon. Denise Cote
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

MEMO ENDORSED

Re: In re Application of MobiTV, Inc., 09 Civ. 7071,
related to United States v. ASCAP, 41 Civ. 1395

Dear Judge Cote:

We write on behalf of MobiTV in response to Your Honor's request for printed versions of various MobiTV exhibits originally provided to the Court in native format. Enclosed please find full printed versions of MX 128, 139 and 140. MX 124, 137 and 138 raise some printing issues, as we describe below. MobiTV maintains much of its usage and revenue data in voluminous excel spreadsheets that do not print easily. These spreadsheets often have numerous tabs and thousands of lines of data which, when printed, span several hundred pages of non-continuous rows and columns.

MX 124 is a spreadsheet tracking MobiTV usage data from June 2005 through March 2008. It tracks total usage of MobiTV channels by minute, product, carrier and month, among other data points. This document contains four tabs, each with several columns and over 50,000 rows of data combined. Enclosed please find a sample printout from each tab. If printed in its entirety, this document would be 1,122 pages. We are happy to print the entire document for Your Honor, but we wanted to be sure that this is still what the Court desires.

MX 138 is an updated version of MX 124, tracking usage of MobiTV's audiovisual channels from April 2008 through June 2009; (MX 135 is a similar update for MobiTV's audio-only channels). MX 138 contains 17 columns and over 32,000 rows of data. Enclosed please find a sample printout from this document, which if printed in its entirety would be 378 pages. We are also happy to print the entire document for the Court if Your Honor so desires.

Together, MX 124, 138 (and 135) form the "Usage Spreadsheets" referred to in the Declaration of Carl Ghoreichi, MobiTV's Principal Research Analyst (referred to by the Bates number they received in this litigation MOBI0006364 = MX 124, MOBI00027808 = MX 135, MOBI00027811 = MX 138). While there is no comprehensive summary of these

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PALM BEACH COUNTY
PHILADELPHIA
PHOENIX
ROME**
SACRAMENTO
SAN FRANCISCO
SHANGHAI
SILICON VALLEY
TALLAHASSEE
TAMPA
TOKYO**
TYSONS CORNER
WASHINGTON, D.C.
WHITE PLAINS
ZURICH**

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exhibits, Appendix A to the Declaration of Dr. Roger Noll was prepared from, among other things, data contained in these exhibits.

MX 137 is the most recent version of MobiTV's general ledger spreadsheet that was produced in this litigation. This document contains 12 tabs, some with over 60 columns and hundreds of rows of data. Due to the way that the data is arranged in this spreadsheet, it is effectively impossible to print coherently. Much of the data in MX 137, however, is discussed in the Declaration of Terri Falcone, MobiTV's Vice President of Finance and Controller. Ms. Falcone refers to this document in the context of various summary exhibits that she prepared, including MX 170, 171, 172, and 182 (enclosed for your convenience). The underlying data for these exhibits came directly from MX 137. In Ms. Falcone's Declaration, MX 137 is referred to by the Bates number it received during this litigation (MOBI00027810).

As indicated above, we believe that printed versions would be voluminous and difficult to read for Your Honor, but please let us know if Your Honor would still like printed versions of MX 124, 137 and 138.

*The Court does not require
copies of voluminous exhibits.*

Respectfully submitted,



Matthew L. Reagan
Associate

*Denise Cote
March 24, 2010*

Enclosures

cc: Kenneth L. Steinthal, Harris L. Cohen, Joseph R. Wetzel
David Leichtman, Hillel I. Parness, Bryan J. Vogel, Oren D. Langer
Richard H. Reimer, Christine Pepe